IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

WP(C).No. 20864 of 2004(H)

PETITIONER:

M.K. ABOOBACKER, S/O. KUNJIMARAKKAR,
MANATTUKULANGARA P.O., PATTITHARA,
THRITALA, PALAKKAD.

BY ADV. SRI.V.R.GOPU

RESPONDENTS:
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1. STATE OF KERALA REPRESENTED BY THE
CHIEF SECRETARY, GOVT.SECRETARIAT, TRIVANDRUM.

2. REGIONAL TRANSPORT OFFICER,
REGIONAL TRANSPORT OFFICE, THRISSUR.

3. M.H. KRISHNAKUMAR, S/O. HARIHARAN,
MULAKKAL HOUSE, PUTHUKKADU P.O.,
MUKUNDAPURAM.

BY GOVERNMENT PLEADER SRI. MUHAMMED PUZHAKARA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 20864/2004 H

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE SALE AGREEMENT DT. 14/07/2001.

EXT.P2. COPY OF THE SAID MEMO DT. 18/1/2002.

EXT.P3. COPY OF THE SAID REPRESENTATION DT. 28/1/2002.

EXT.P4. COPY OF THE MEMO DATED 28/1/2004.

EXT.P5. COPY OF THE SAID REPRESENTATION DT. 2/4/04.

EXT.P6. COPY OF THE DEMAND NOTICE DT. 18/5/2004.

EXT.P7. COPY OF THE REPRESENTATION DT. 16/6/2004.

RESPONDENT'S EXHIBITS **NIL.**

True copy

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KURIAN JOSEPH, J.

W.P.(C) NO. 20864 OF 2004

Dated this the 23rd day of November, 2007.

J U D G M E N T

This writ petition is filed mainly with the following prayers:

i) Issue a writ in the nature of mandamus or any other appropriate writs or direction commanding respondents 1 & 2 to realize the tax due as per Ext. P6 demand notice from the 3rd respondent.

ii) Issue a direction commanding the 2nd respondent to consider and pass appropriate orders on Exhibit P7 representation in view of Section 9 of the Motor Vehicle Taxations Act.

There is already a direction by this Court to seize the vehicle bearing Registration No. KEH 819 and sell the same for recovery.

2. There will be a direction to the second respondent to consider and take appropriate action on Exhibit P7 in the light also of the order referred to above with notice to the parties, within a period of three months from the date of production of a copy of this judgment.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp